

Annex A (First Case)

a. *What was the Home Office decision in each case, i.e., was it a decision to deport, a deportation order, a decision to remove as an illegal entrant, a decision to remove as an overstayer or some other decision?*

A decision to deport.

b. *Did the person concerned appeal the decision to the Asylum and Immigration Tribunal (AIT) or First-Tier Tribunal (FTT)?*

First Tier Tribunal – Immigration and Asylum.

c. *If so:*

i. *on what date did the AIT/FTT issue their decision on the appeal?*

First tier Tribunal outcome 20/04/2010.

ii. *What was the initial appeal decision on the case and, if it was allowed, on what grounds under section 84(1) of the Nationality, Immigration and Asylum Act 2002 (NIA)?*

Allowed on Human Rights Grounds only.

iii. *Was there an application for reconsideration by the AIT or application for permission to appeal to the Upper Tribunal (UT), if so, by whom (appellant or Secretary of State (SoS)) and with what result?*

Application made to the PTA First Tier by Home Office on 06/05/2010. This was granted.

iv. *Where reconsideration was ordered or permission to appeal was granted, what was the date and decision on reconsideration / appeal by the AIT / UT and, if it was allowed, on what grounds under section 84(1) of the NIA?*

Upper Tier Tribunal allowed on Human Rights grounds only on 19/11/2010.

v. *Did either party (and if so whom) apply for permission to appeal to the Court of Appeal (CA) and, if so, with what result?*

No.

vi. *Where permission to appeal to the CA was ordered, what was the date of the CA decision on the appeal and what was the result?*

N/A.

vii. *If, in a case in which the AIT/FTT/UT had allowed the immigrant's appeal, the UKBA did not then apply for reconsideration of / permission to appeal from that decision, the reason why the SoS decided not to make that application. In particular, please say whether the SoS accepted that the tribunal had not made an error of law.*

No material error of law disclosed by the determination and therefore no realistic prospect of securing permission to appeal.

d. If any decisions were made on reconsideration or by the UT, please provide the AIT/UT reference number for the case and the exact date of promulgation.

Appeal Reference number: DA/00144/2010

Date of Promulgation : 19/11/2010

e. If any decisions were made by the Court of Appeal, please provide the Court of Appeal reference number and any neutral citation number.

N/A

A copy of the determination of 19/11/2010 can be obtained at the following link.

<http://www.ait.gov.uk/Public/Searchunreported.aspx>